



2836
JLW/B

UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Atty. Dkt. P.19092/MAJR
BRUWER, Frederick Johannes)	Examiner: Sharon A. Polk
Application No. : 09/ 806,860)	Group Art Unit: 2836
Filing Date: July 2, 2001)	
For : INTELLIGENT ELECTRICAL)	
SWITCH)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the requirements of 37 C.F.R 1.97 and 1.98, Applicant hereby requests that the references listed in the attached form PTO/SB/08A be considered and made of record in the above-identified application.

The subject references were cited in various related applications, including those that have recently issued as U.S. Patent Nos. 6,621,225 and 6,650,066. As the undersigned attorney discussed with Examiner Polk during an informal telephone interview on November 6, 2003, copies of the listed U.S. patents are not enclosed herewith, although copies of all of the foreign references are enclosed. In some instances, the documents are in a foreign language. However, English language abstracts and patent family information, where available, have been provided for these documents.

12/23/2004 SSESHE1 00000044 10311010

01 FC:1806

180.00 OP

12/23/2004 SSESHE1 00000127 09806860 180.00 OP
01 FC:1806

The requisite filing fee of \$180.00 for the IDS is included in the check that is attached to the Amendment Transmittal. However, the Commissioner is hereby authorized to charge in deficiency in fees due by this paper to Deposit Account No. 10-1213.

Respectfully submitted,

By: William A. Blake
William A. Blake
Reg. No. 30,548

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266, Eads Station
Arlington, VA. 22202
(703) 415-1500
Dated: November 25, 2003



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Application Number	09/806,860	
			Filing Date	July 2, 2001	
			First Named Inventor	Bruwer	
			Art Unit	2836	
			Examiner Name	S. Polk	
Sheet	1	of	5	Attorney Docket Number	P.19092/MAJR

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 2,338,078	07/11/1940	WOOD	
		US- 2,630,517	03/03/1953	HISCAR	
		US- 2,748,290	03/05/1957	ASHTON	
		US- 2,810,797	10/22/1957	GULNICK	
		US- 3,259,713	07/05/1966	HERRIDGE	
		US- 3,646,302	02/29/1972	LEHMANN	
		US- 3,721,933	03/20/1973	PEROY	
		US- 3,890,555	06/17/1975	NELSON	
		US- 3,944,804	03/16/1976	WISDOM	
		US- 4,001,803	01/04/1977	LOMBARDO	
		US- 4,071,805	01/31/1978	BROCK	
		US- 4,122,371	10/24/1978	TALMAGE	
		US- 4,123,668	10/31/1978	PECOTA	
		US- 4,228,484	10/14/1980	JOHNSTONE	
		US- 4,237,526	12/02/1980	WOOD	
		US- 4,282,681	08/11/1981	MCCASLIN	
		US- 4,293,894	10/06/1981	BLANK	
		US- 4,306,277	12/15/1981	BODDE	
		US- 4,357,648	11/02/1982	NELSON	
		US- 4,385,258	05/24/1983	VOLL	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code 3	-Number ⁴ -Kind Code ⁵ (if known)				
✓		EP	0 440 897	08/14/1991			X
	✓	EP	0 467 158	01/22/1992			X
✓		EP	0 515 921 ⁷ A2	12/02/1992			X
✓		EP	0 642 952	08/04/1994			X
	✓	EP	0 676 311	10/11/1995			X
✓		EP	0 683 069	08/24/1995			X
✓		EP	0 719 673 A2	07/15/1997			X
✓		EP	0 719 674 A2	07/03/1996			
✓		EP	0 728 617 A2	08/28/1996			X
✓		EP	0 770 519	08/02/1997			

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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				Filing Date	July 2, 2001
				First Named Inventor	Bruwer
				Art Unit	2836
				Examiner Name	S. Polk
Sheet	2	of	5	Attorney Docket Number	P.19092/MAJR

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		Number - Kind Code 2 (if known)			
		US-4,403,172	09/06/1983	SASAKI	
		US-4,408,182	10/04/1983	HASHIMOTO	
		US-4,409,645	10/11/1983	SLOAN	
		US-4,414,611	11/08/1983	SELTZER	
		US-4,442,478	04/10/1984	STANSVURY	
		US-4,467,263	08/21/1984	CONFORTI	
		US-4,473,871	09/25/1984	FUCHSHUBER	
		US-4,499,528	02/12/1985	HAWLITZKI	
		US-4,623,957	11/18/1986	MOORE	
		US-4,638,174	01/20/1987	BIER	
		US-4,686,609	08/11/1987	DYKSTRA	
		US-4,716,902	01/05/1988	SWARTZ	
		US-4,739,224	04/19/1988	GEERLINGS	
		US-4,807,096	02/21/1989	SKOGLER	
		US-4,866,345	09/12/1989	KATAOKA	
		US-4,875,147	10/17/1989	AUER	
		US-4,908,649	03/13/1990	MATSUI	
		US-4,959,679	09/25/1990	YAMAMOTO	
		US-4,963,793	10/16/1990	DEPAULI	
		US-5,027,037	06/25/1991	WEI	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Country Code3	-Number4 -Kind Code5 (if known)				
✓		EP	0 846 594	06/10/1998			
✓		GB	2243902	11/13/1991			
	✓	GB	2276713	10/05/1994			
	✓	JP	10338028	12/22/1998			X
		JP	11123985	05/02/2000	US 6056423		X
	✓	JP	11255017	09/21/1999			X
	✓	JP	11321455	07/04/2000			X
✓		WO	97/00790	01/24/1997			
✓		WO	99/12781	03/24/1999			

Examiner Signature		Date Considered	
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			Examiner Name	S. Polk	
Sheet	3	of	5	Attorney Docket Number	P.19092/MAJR

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-5,047,688	09/10/1991	ALTEN	
		US-5,055,268	10/08/1991	MARTIN	
		US-5,057,383	10/15/1991	SOKIRA	
		US-5,097,284	03/17/1992	TANIGUCHI	
		US-5,114,376	05/19/1992	COPLEY	
		US-5,130,901	07/14/1992	PRIESEMUTH	
		US-5,138,538	08/11/1992	SPERLING	
		US-5,174,643	12/29/1992	PRIESEMUTH	
		US-5,187,655	02/16/1993	POST	
		US-5,206,562	04/27/1993	MATSUNO	
		US-5,226,711	07/13/1993	MATSUNO	
		US-5,254,907	10/19/1993	MATSUNO	
		US-5,304,896	04/19/1994	ASADA	
		US-5,317,362	05/31/1994	TAKAHASHI	
		US-5,321,309	06/14/1994	KOLOMYSKI	
		US-5,357,169	10/18/1994	TOYOZUMI	
		US-5,357,408	10/18/1994	LECZNR	
		US-5,406,171	04/11/1995	MOODY	
		US-5,418,433	05/23/1995	NILSSEN	
		US-5,448,331	09/05/1995	HAMADA	

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		Country Code 3	-Number4 -Kind Code5 (if known)				
✓		WO	99/20936	04/29/1999			
	✓	DE	4,127,765	02/25/1993			x
	✓	DE	296 00 938	N/A			
	✓	DE	3,444,178	06/27/1985			x
✓		EP	0323,193	05/07/1989			x
✓		JP	06-202,231	07/22/1994			x

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		Number - Kind Code ² (if known)			
		US-5,469,346	11/21/1995	HAUT	
		US-5,491,383	02/13/1996	LEIBER	
		US-5,504,415	04/02/1996	PODRAZHANSKY	
		US-5,526,241	06/11/1996	FERREL	
		US-5,583,382	12/10/1996	WAGNER	
		US-6,000,807	12/14/1999	MORELAND	
		US-5,604,407	02/18/1997	ANDRES	
		US-5,604,999	02/25/1997	BARKER	
		US-5,611,720	03/18/1997	VAN DER MAAS	
		US-5,647,657	07/15/1997	DAMASKY	
		US-5,661,393	09/26/1997	SENGUPTA	
		US-5,691,619	11/25/1997	VINGSBO	
		US-5,736,696	04/07/1998	DEL ROSSO	
		US-5,790,961	08/04/1998	INGRAM	
		US-5,831,389	11/03/1998	KAWASHIMA	
		US-5,856,727	01/05/1999	SCHROEDER	
		US-5,892,334	04/06/1999	UTZMAN	
		US-5,942,770	08/24/1999	ISHINAGA	
		US-6,017,140	01/25/2000	CHOU	
		US-6,027,234	02/22/2000	AUSTIN	

[illegible]

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Under the Paperwork Reduction Project of 1995
control number.

OMB Control Number 0704-0188

Control number:		Substitution for form 1449A/PTO	
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(use as many sheets as necessary)		Application Number	09/806,860
		Filing Date	July 2, 2001
		First Named Inventor	Bruwer
		Art Unit	2836
		Examiner Name	S. Polk
		Attorney Docket Number	P.19092/MAJR
Sheet	5	of	5

[illegible][illegible]

Examiner Signature		Date Considered	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

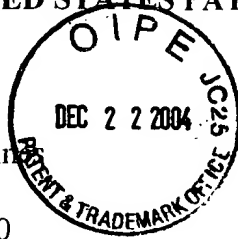
In re application of

BRUWER, Frederick Johann

Application No.: 09/806,860

Filed: July 2, 2001

For: INTELLIGENT ELECTRICAL SWITCH



) Attorney Docket No. P.19092/MAJR

) Examiner: Robert L. Deberadinis

) Group Art Unit: 2836

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

As set forth in the Amendment and Information Disclosure Statement filed on September 16, 2004, one of the previous issued U.S. patents that is related to the subject application, U.S. Patent No. 6,621,225, has been the subject of a patent infringement litigation in the United States District Court, Northern District of Texas. The litigation has now been settled by virtue of a Settlement Agreement that was entered into by the parties to the litigation on October 29, 2004. A copy of the Settlement Agreement is attached for the Examiner's information.

It should be noted that under the terms of the agreement, the opposing side, LRI, agreed and stipulated that the claims in issue in the '225 patent are not invalid. LRI is also the party that made Applicant aware of the references cited in the Information Disclosure Statement dated September 16, 2004.

Respectively submitted,

By: William A. Blake

William A. Blake
Reg. No. 30,548

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, VA 22202
(703) 415-1500
Dated: December 9, 2004



SETTLEMENT AGREEMENT

This *Settlement Agreement* ("Agreement") is entered into as of October 29, 2004 (the "Effective Date") between (a) Azoteq PTY, Ltd. ("Azoteq") a South African corporation with a principal place of business located in Paarl, South Africa, on the one hand, and (b) Laughing Rabbit, Inc., an Oregon corporation with a principal place of business located in Blachly, Oregon, and Photonlight.com, Inc., an Oregon corporation with its principal place of business in Eugene, Oregon, (Laughing Rabbit and Photonlight.com collectively referred to as "LRI") on the other hand.

Definitions

1. The three parties may be referred to below individually as a "Party" and collectively as the "Parties."
2. "Accused Products" means Photon Fusion Products and Photon Micro-Light III Products.
3. "Photon Fusion Products" means products sold by LRI under the trademark "Photon Fusion Headlamp/Flashlight" as well as identical products sold under any other trademark.
4. "Photon Micro-Light III Products" means products sold by LRI under the trademark "Photon Micro-Light III" as well as identical products sold under any other trademark.
5. "Dallas Suit" means the lawsuit numbered and styled: *Azoteq Pty., Ltd. v. Photonlight.com, Inc. and Laughing Rabbit, Inc.*, currently pending in the United States District Court for the Northern District of Texas, Dallas Division, Cause Number 3:03 CV-2830B.

SETTLEMENT AGREEMENT

Page 1

6. "Affiliates" means, as to any Person, any other Person controlled by, under the control of, or under common control with, such Person. As used in this definition, "control" shall mean possession, directly or indirectly, of power to direct or cause the direction of management or policies (whether through ownership of securities or partnership or other ownership interests, by contract or otherwise), provided that, in any event, any Person which owns or holds directly or indirectly 5% or more of the voting securities or 5% or more of the partnership or other equity interests of any other Person (other than as a limited partner of such other Person) will be deemed to control such other Person.

7. "Person" means an individual, corporation, partnership, limited liability company, limited liability partnership, joint venture, trust or unincorporated organization, joint stock company or other similar organization, government or any political subdivision thereof, or any other legal entity.

8. The term "'225 Patent" as used herein shall mean United States Patent No. 6,621,225.

Whereas, Azoteq is the owner of the '225 Patent which issued on September 16, 2003;

Whereas, LRI manufactures and sells several models of flashlights which Azoteq alleges infringe one or more claims of the '225 Patent;

Whereas, LRI has alleged that the '225 Patent is invalid and not infringed;

Whereas, Azoteq sued LRI for infringement of the '225 Patent in the Dallas Suit and has asserted in the Dallas Suit that the Accused Products infringe the '225 Patent;

Whereas, LRI filed a counterclaim against Azoteq seeking a declaratory judgment of invalidity and non-infringement of the '225 Patent in the Dallas Suit; and



Whereas, Azoteq and LRI have agreed to settle their differences in accordance with the terms set forth herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and representations contained in this Agreement, the receipt and sufficiency of which is hereby acknowledged, and incorporating the Definitions and recitals set forth above, the Parties do hereby agree as follows:

1. Terms:

(a) LRI agrees and hereby stipulates that Claims 11, 12, 15, 16, 40-45, and 47-52 are not invalid.

(b) LRI represents and warrants that the Accused Products have been discontinued and that LRI will not order any parts therefor after the Effective Date (and has not ordered any parts therefor after August 1, 2004).

(c) LRI represents and warrants that its current inventory of Photon Fusion Products (whether assembled or in the form of parts on hand from which a completed device may eventually be assembled) is zero. LRI represents and warrants that its current inventory of Photon Micro-Light III Products (whether assembled or in the form of parts on hand from which a completed device may eventually be assembled) is approximately 90,000 units (the "Remaining Inventory").

(d) LRI agrees to immediately stop selling the Photon Fusion Products as well as any advertising, marketing, and/or promotion thereof. LRI agrees to remove all information about the Photon Fusion Products from the photonlight.com website within 30 days of the Effective Date and cease all advertising, marketing, and/or promotion of the Photon Fusion Products as of that time.



(e) Azoteq agrees that LRI may sell (or otherwise distribute) 50,000 units of the Remaining Inventory in the United States and may sell (or otherwise distribute) the Remaining Inventory outside of the United States provided that all such sales must take place within two years of the Effective Date. LRI agrees that it will not sell (or otherwise distribute) more than 50,000 units of the Remaining Inventory in the United States and that all sales (or other distributions) of the Remaining Inventory must be completed within two years of the Effective Date. LRI further agrees that it will not sell (or otherwise distribute) any Photon Micro-Light III Products (a) once their current inventory is exhausted or (b) at any time following the expiration of two years from the Effective Date. No later than 30 days following the expiration of two years from the Effective Date, LRI agrees to destroy any Remaining Inventory that existed as of the expiration of two years from the Effective Date, to remove all information about the Photon Micro-Light III Products from the photonlight.com website, and cease all advertising, marketing, and/or promotion of the Photon Micro-Light III Products

(f) Azoteq agrees that LRI shall have no liability to Azoteq for sales of the Remaining Inventory that are in compliance with the provisions of this Agreement and shall have no liability for prior sales of the Accused Products.

(g) Within five (5) business days of the Effective Date, the Parties will file a joint motion with the Court in the Dallas Suit to dismiss their respective claims in the Dallas Suit with prejudice.

(h) Azoteq, on behalf of itself and its Affiliates, successors, and assigns, hereby releases, acquits, and forever discharges LRI, its Affiliates, officers, directors, employees, agents, predecessors, successors, subsidiaries, and assigns from and against any and all claims, demands, liabilities, causes of action, or damages for (a) infringement (whether direct or indirect)

of the '225 Patent or any foreign equivalent thereof, (b) infringement (whether direct or indirect) of any patent claiming the benefit of the filing date of the '225 Patent or claiming the benefit of the filing date of any ancestor of the '225 Patent or (c) violation of Azotek's provisional rights under 35 U.S.C. Section 154 (or any other rights, if any) with respect to any currently published patent application claiming the benefit of the filing date of the '225 patent or claiming the benefit of the filing date of any ancestor of the '225 Patent, in each case by LRI occurring prior to the Effective Date.

(i) LRI, on behalf of itself and its Affiliates, successors, and assigns, hereby releases, acquits, and forever discharges Azotek, its Affiliates, officers, directors, employees, agents, predecessors, successors, subsidiaries, and assigns from and against any and all claims, demands, liabilities, causes of action, damages, or duties concerning the '225 Patent occurring prior to the Effective Date.

2. No License: Nothing herein shall be construed as granting expressly, by implication, or otherwise any license to the '225 Patent or any other patent or patent application owned by Azotek.

3. Compromise: The Parties wish to resolve the Dallas Suit and avoid the costs and risk associated with continuing the Dallas Suit. This Agreement is intended to be treated as a settlement agreement compromising disputed claims and is not intended to reflect on what a reasonable royalty would be for a license to the '225 Patent.

4. Governing Law: This Agreement will be governed by, construed and enforced in accordance with the law of the State of Texas, without regard to its principles of conflicts of law.

5. Headings: The paragraph headings in this Agreement are for convenience only and are not part of this Agreement.

6. Binding Effect: The terms of this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors, heirs, and assigns. No Party may assign any of its rights or obligations hereunder without permission of the other parties, which consent shall not be unreasonably withheld.

7. Costs and Expenses: Each Party shall be responsible for its own costs and expenses, including attorneys' fees, incurred by it in connection with this Agreement and the Dallas Suit.

8. Interpretation: No provision of this Agreement will be construed against or interpreted to the disadvantage of any Party by any court or other governmental or judicial authority by reason of such Party having, or being deemed to have, prepared, structured, or dictated such provision.

9. Waiver of Rights: Failure of any Party to enforce any of its respective rights or remedies under this Agreement with respect to any specific act or failure to act will not constitute a waiver of the rights of such Party to enforce such rights and remedies with respect to any other or subsequent act or failure to act.

10. Amendment: Neither this Agreement nor any provision of it may be changed, waived, discharged, or terminated orally. Any amendment to the Agreement must be in writing and signed by the Parties.

11. Conference with Counsel: The Parties confirm and represent that they have reviewed and discussed this Agreement with their respective attorneys, that they have the power, authority and capacity to enter into this Agreement and to incur the obligations provided for herein, that they have read and understand the effect of this Agreement, and that this Agreement has been freely and willingly made by them.



12. No Transfer of Claims: The Parties warrant and represent that they are each fully authorized to execute and enter into this Agreement. The Parties hereby further represent and warrant that before their respective execution of this Agreement they have not conveyed, assigned, pledged, or in any other way transferred all or any portion of the claims, demands, actions, causes of action, suits, costs, losses, damages, expenses, compensation, liabilities, obligations asserted in the Dallas Suit.

13. Entire Agreement: This Agreement constitutes the entire agreement among the Parties with respect to the subject matter of this Agreement and there are no representations, understandings, or agreements relative to this Agreement which are not fully expressed in it.

14. Counterparts: This Agreement may be executed in any number of counterparts, each of which when so executed and delivered via facsimile, certified mail return receipt requested, courier or other reasonable means will be deemed to be an original and all of which counterparts, taken together, will constitute but one and the same agreement.

15. Severability: If any provision or portion of this Agreement is deemed, for any reason, invalid or unenforceable, that provision or portion shall be limited to the extent necessary to render it valid. The Parties also agree that the remaining portion or portions of this Agreement shall be deemed valid, enforceable and carried into effect.

16. Authority. Each of the persons executing this Agreement represents and warrants that he or she has the full power and authority to enter into this Agreement on behalf of the Party hereto for which he or she signs and that there are no other persons or entities whose consent to this Agreement or whose joinder herein is necessary to make the provisions hereof fully effective.



In witness whereof, the Parties have executed this Agreement below.

Azoteq Pty, Ltd.

By: _____

Printed Name: FREDERICK J BRUWER

Title CEO

Laughing Rabbit, Inc.

By: _____

Printed Name: David Allen

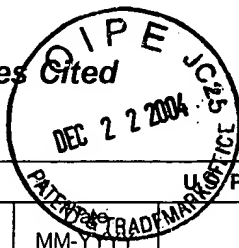
Title President

Photonlight.com, Inc.

By: _____

Printed Name: Bryan Avery

Title President

Notice of References Cited

Application/Control No.

09/806,860

Applicant(s)/Patent Under

Reexamination

BRUWER, FREDERICK JOHANN

Examiner

Sharon Polk

Art Unit

2836

Page 1 of 1

PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,074,252	02-1978	Keller, Herman F.	340/321
	B	US-4,876,632	10-1989	Osterhout et al.	362/183
	C	US-6,135,605	10-2000	Hsu et al.	362/102
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	P					
	Q					
	R					
	S					
	T					

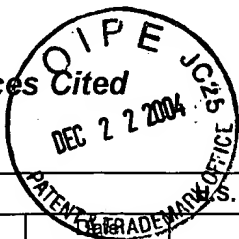
NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

BEST AVAILABLE COPY

Notice of References Cited



Application/Control No.

09/806,860

Applicant(s)/Patent Under

Reexamination

BRUWER, FREDERICK JOHANN

Examiner

Sharon Polk

Art Unit

2836

Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	MM-YYYY	Name	Classification
	A	US-5,645,341 ✓	07-1997	Liao, King-Pro	362/183
	B	US-4,497,881 ✓	02-1985	Bertolino, Renee Z.	429/91
	C	US-4,611,264 ✓	09-1986	Bradley, Morgan B.	362/95
	D	US-6,095,661 ✓	08-2000	Lebens et al.	362/184
	E	US-5,005,004 ✓	04-1991	Udofot, Michael P.	340/600
	F	US-3,890,555 ✓	06-1975	Nelson et al.	320/165
	G	US-5,057,383 ✓	10-1991	Sokira, Thomas J.	429/92
	H	US-4,001,803 ✓	01-1977	Lombardo, Dominick A.	340/656
	I	US-5,806,961 ✓	09-1998	Dalton et al.	362/183
	J	US-5,856,727 ✓	01-1999	Schroeder et al.	315/55
	K	US-5,206,097 ✓	04-1993	Burns et al.	429/90
	L	US-5,138,538 ✓	08-1992	Sperling, Michael Z.	362/205
	M	US-4,875,147 ✓	10-1989	Auer, Robert T.	362/205

FOREIGN PATENT DOCUMENTS

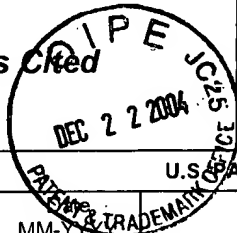
*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Modern Dictionary of Electronics, Newnes, 1999 7th Ed, p. 431.
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited



Application/Control No.

09/806,860

Applicant(s)/Patent Under
Reexamination
BRUWER, FREDERICK JOHANN

Examiner

Sharon Polk

Art Unit

2836

Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YY	Name	Classification
	A	US-3,535,282	10-1970	Mallory, H. R.	200/60
	B	US-5,942,770	08-1999	Ishinaga et al.	257/89
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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	Q					
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	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

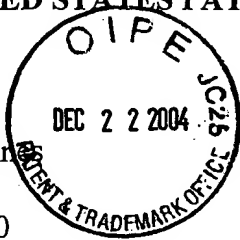
In re application of:

BRUWER, Frederick Johann

Application No.: 09/806,860

Filed: July 2, 2001

For: INTELLIGENT ELECTRICAL SWITCH



) Attorney Docket No. P.19092/MAJR

) Group Art Unit: 2836

) Examiner: Gregory J. Toatley

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22202

Sir:

Pursuant to the requirements of 37 CFR 1.97 and 1.98, Applicant hereby requests that the references listed in the attached forms PTO/SB/08A and PTO/SB/08B to be considered and made of record in the above-identified application. Copies of the literature references listed in form PTO/SB/08B are also attached.

For the record, the listed references were noted in a letter from the opposing counsel in an infringement litigation involving U.S. Patent No. 6,621,225, which is one of the patents that is related to the subject application.

Regarding the documents listed on form PTO/SB/08B, the documents themselves do not represent publications that specifically pre-date the earliest filing date to which the claims in the subject application are entitled. Applicant can also not confirm how long the devices disclosed in these documents have been offered for sale in the United States. However, regarding the ETERNALIGHT device marketed by Technology Associates Inc, a representative of Technology

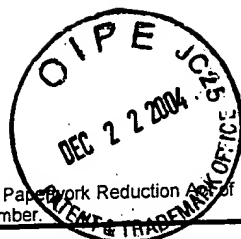
Associates, Thomas Hoops, has indicated in an email message that the first sale of the device was in May 1998. A copy of the email message is attached to the reference.

The \$180.00 fee set forth in 37 CFR 1.17(p) is included with the check attached to the transmittal letter. Please charge any deficiencies and fees due by this paper to Deposit Account No. 10-1213.

Respectfully submitted,

By: William A. Blake
William A. Blake
Reg. No. 30,548

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500
Docket No.: P.19092/MAJR
Filed: September 16, 2004



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known	
		Application Number	09/806,860
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	07/02/2001
		First Named Inventor	Frederick Johannes Bruwer
		Art Unit	2836
		Examiner Name	Gregory Toatley
		Attorney Docket Number	P.19092/MAJR
Sheet	1	of	2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 6,259,862	07/10/2001	Marino et al.	
		US- 6,095,661	08/01/2000	Lebens et al.	
		US- 5,309,145	05/03/1994	Branch et al.	
		US-			
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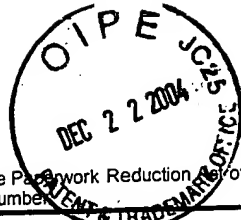
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		2276713	10/05/1994	Sinclair		X

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/08B (10-01)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO		Complete if Known	
		Application Number	09/806,860
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	07/02/2001
		First Named Inventor	Frederick Johannes Bruwer
		Group Art Unit	2836
		Examiner Name	Gregory Toatley
		Attorney Docket Number	P.19092/MAJR
Sheet	2	of	2

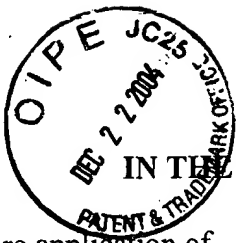
OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Operations and Maintenance Manual for ETERNALIGHT marketed by Technology Associates Inc., including email message from representative of Technology Associates Inc.	
		Internet Website on Neon-Star Device, web address www.neon-net.com.tw/dataIII.htm	
		MANRESA, ELIZABETH, "Light Lives Up to Promise," KYTV, (Springfield, MO). (July 2000).	
		Web Page from www.pocketgifts.com on Pal Survival Light	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)

BRUWER, Frederick Johannes)

Application No.: 09/806,860)

Filed: July 2, 2001)

For: INTELLIGENT ELECTRICAL SWITCH)

Attorney Docket No. P.19092/MAJR

Examiner: Robert L. Deberadinis

Group Art Unit: 2836

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the requirements of 37 CFR 1.97 and 1.98, Applicant respectively request that the reference listed in the attached form PTO/SB/08B be considered and made of record for the subject application.

It should be noted that the date of the reference, January 2003, is well after the earliest filing date of the subject application. However, the reference contains numerous assertions regarding the state of the art over the years pertaining to LED Flashlights. For the record, the citation of this reference should not be construed to imply that Applicant agrees with the opinions expressed by the author of the reference.

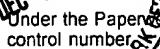
A check in the amount of \$180.00 to cover the filing fee for this paper is attached. Please charge any deficiencies in fees to Deposit Account No. 10-1213.

Respectfully submitted,

By:

William A. Blake
Reg. No. 30,548

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, VA 22202
(703) 415-1500
Dated: November 17, 2004



Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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Substitute for Form 1449B/PTO

(use as many sheets as necessary)

Sheet	1	of	1
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Complete if Known

Application Number	09/806,860
Filing Date	07/02/2001
First Named Inventor	Johannes Frederick Bruwer
Group Art Unit	2836
Examiner Name	Deberadinis
Attorney Docket Number	P 19092/MA-IR

[illegible]

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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